

REPORT TO: EDUCATION COMMITTEE - 20 MAY 2013
REPORT ON: PROMOTING INCLUSION – REDUCING EXCLUSION
REPORT BY: DIRECTOR OF EDUCATION
REPORT NO: 221-2013

1.0 PURPOSE OF REPORT

- 1.1 This report proposes a set of guidelines on exclusion from schools within the context of *Getting It Right* and Curriculum for Excellence with the overall aim of keeping all learners fully included, engaged and involved in their education and improving outcomes for those at risk of exclusion.

2.0 RECOMMENDATIONS

- 2.1 The Education Committee is recommended to:
- i. note and approve the guidelines on Promoting Inclusion – Reducing Exclusion;
 - ii. note the revised policy on exclusion from school;
 - iii. instruct the Director of Education to monitor and evaluate the impact of the revised guidelines, and report back to Committee on an annual basis.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report.

4.0 MAIN TEXT

- 4.1 The Education Committee, at its meeting on 20th February 2006, approved Report No 67-2006) (*Managing Disruptive Behaviour*) which brought forward comprehensive guidelines for dealing with disruptive behaviour in schools, and included a revised policy on exclusion from school. Report 67-2006 led to the publication and dissemination of the Managing Disruptive Behaviour guidelines in March 2006. Report numbers 731-2001 (*Supporting Pupils with Social, Emotional and Behavioural Difficulties*), 10 December 2001, 648-2005 (*Provision of Offsite Education*), 24 October 2005, and 703-2005 (*Managing Unacceptable Behaviour in Schools*), 21 November 2005 also refer. This was followed by a progress report to Committee, Report No 245-2008, 28 April 2008.
- 4.2 Promoting Inclusion - Reducing Exclusion is Dundee City Council's response to the national guidance, '*Included, Engaged and Involved Part 2: A positive approach to managing school exclusions*' published by the Scottish Government.
- 4.3 In Dundee we have a rising school population and the numbers are projected to continue rising. Within the city we have some of the most deprived areas in Scotland as described in the Scottish Index of Multiple Deprivation. The numbers of children identified as having multiple and complex additional support needs is rising. Against this backdrop we need to plan to deliver a service which will meet the needs of children and families and ensure that they feel included and involved.
- 4.4 Formal exclusion is an important sanction with a legitimate place within a school behaviour management policy. It marks the extreme seriousness of a breach of discipline that is detrimental to the good order of the school or to the educational well-being of the pupils there, and formally engages parents in supporting the school to manage their child's behaviour.

- 4.5 Statistics show that children and young people are more likely to be excluded if: they are looked after; they are from the most deprived areas; they have a disability; they have an additional support need and the additional support need is social, emotional and behavioural.
- 4.6 One of the main changes arising from the new national guidance is that, the decision to exclude a pupil who is looked after should be taken in consultation with the child's social worker/lead professional; and the time absent from school, due to part-time hours, must be recorded as an exclusion. When carrying out corporate parenting responsibilities we adopt the behaviour of a good parent at all times. We share, with our colleagues in Social Work, collective responsibility for ensuring that children who are looked after are provided with quality experiences and the help they need to maximise their full educational, social and economic potential.
- 4.7 In all cases exclusion should be for as short a period as possible and should be used to constructively resolve the situation with all those affected; plan for any new support or provision; and safeguard a successful return, in partnership with learners and their parents/carers.
- 4.8 The length of exclusion is not defined in legislation and accordingly is a matter for the discretion of the local authority. However, the local authority remains responsible for the education of the learner, and for the provision of alternative education provision while excluded. It is reasonable to expect alternative education provision after 3 days.
- 4.9 Part 2 of the document explores the views expressed by parents, pupils and staff regarding the impact of exclusion. These valuable insights have informed the range of approaches and training opportunities available to promote inclusion and reduce exclusion.

5.0 POLICY IMPLICATIONS

This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. An Equality Impact Assessment has been carried out and is attached to this report

6.0 CONSULTATIONS

The Chief Executive, Director of Corporate Services, Head of Democratic and Legal Services have been consulted in the preparation of this report.

7.0 BACKGROUND PAPERS

'Included, Engaged and Involved Part 2: A positive approach to managing school exclusions' published by the Scottish Government.

Michael Wood
Director of Education

7 May 2013

EQUALITY IMPACT ASSESSMENT TOOL

Part 1: Description/Consultation

Is this a Rapid Equality Impact Assessment (RIAT)?		Yes
Is this a Full Equality Impact Assessment (EQIA)?		No
Date of Assessment: May 2013		Committee Report Number: 221-2013
Title of document being assessed: Promoting Inclusion – Reducing Exclusion		
<p>1. This is a new policy, procedure, strategy or practice being assessed (If yes please check box) <input type="checkbox"/></p> <p>2. Please give a brief description of the policy, procedure, strategy or practice being assessed.</p> <p>3. What is the intended outcome of this policy, procedure, strategy or practice?</p> <p>4. Please list any existing documents which have been used to inform this Equality and Diversity Impact Assessment.</p> <p>5. Has any consultation, involvement or research with protected characteristic communities informed this assessment? If yes please give details.</p> <p>6. Please give details of council officer involvement in this assessment. (e.g. names of officers consulted, dates of meetings etc)</p> <p>7. Is there a need to collect further evidence or to involve or consult protected characteristics communities on the impact of the proposed policy? (Example: if the impact on a community is not known what will you do to gather the information needed and when will you do this?)</p>		<p>This is an existing policy, procedure, strategy or practice being assessed? Yes</p> <p>Promoting Inclusion - Reducing Exclusion is Dundee City Council's response to the national guidance, '<i>Included, Engaged and Involved Part 2: A positive approach to managing school exclusions</i>' published by the Scottish Government.</p> <p>The guidance is intended to provide a helpful and supportive framework within which individual schools can work effectively with learners and parents to maintain positive relationships, behaviour and safety in schools. The intention is that through promoting positive relationship there is a corresponding reduction in exclusions.</p> <ul style="list-style-type: none"> • '<i>Included, Engaged and Involved Part 2: A positive approach to managing school exclusions</i>' • Additional Support for Learning Act 2004/09 • Equality Act 2010 • Regulation 4 and 4A of the Schools General (Scotland) Regulations 1975, as amended • Standards in Scotland's Schools Act 2000 <p>A multi-agency Working Group was established to take this initiative forward to support a broad perspective and view. A parent, pupil and staff survey was carried out to inform PART 2 of the guidance.</p> <p>Education: John Carroll, Head Teacher, St Paul's Academy, Raymond Perry, DHT Braeview, John Lannon, Protecting Children Manager, SCSS, Fiona Ferrier, HT, Jessie Porter Nursery, Denise McCaffery, HT, Sidlaw View PS, Olivia Menzies, HT, Downfield PS, Kerry Gethins, Advice, Information & Support Manager, Lorna Ferry, QIO EY and P, Fiona Ewen, Educational Psychologist, Elspeth Walker, Education Manager (Chair) Social Work: Kerstin Jorna, Sheila Wilson, Peter Travis</p> <p>No</p>

Part 2: Protected Characteristics

Which protected characteristics communities will be positively or negatively affected by this policy, procedure or strategy?

NB Please place an X in the box which best describes the "overall" impact. It is possible for an assessment to identify that a positive policy can have some negative impacts and visa versa. When this is the case please identify both positive and negative impacts in Part 3 of this form.

If the impact on a protected characteristic communities are not known please state how you will gather evidence of any potential negative impacts in box Part 1 section 7 above.

	Positively	Negatively	No Impact	Not Known
Ethnic Minority Communities including Gypsies and Travellers	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
People with a disability	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Age	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Lesbian, Gay and Bisexual	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Socio-economic	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Part 3: Impacts/Monitoring

1. Have any positive impacts been identified? (We must ensure at this stage that we are not achieving equality for one strand of equality at the expense of another)	Positive: staff and pupils, and a small number of parents, made the statement that the educational impact of exclusion for the child, allowed children to reflect upon their actions, understand their mistakes, learn about boundaries and consequences. Pupils refer to positive changes in the excluded child's behaviour ("they behave better", "they stop bullying", etc).
2. Have any negative impacts been identified? (Based on direct knowledge, published research, community involvement, customer feedback etc. If unsure seek advice from your departmental Equality Champion.)	Negative: Several respondents (mainly parents) worry that exclusion leads to the child developing a sense of isolation, worthlessness, and decreased self-esteem. Children in particular seem to be worried about the mark that exclusion leaves for the future, which makes employment difficult ("they will not get a job"). Children and parents, more than staff, mention that the excluded child misses out on education.
3. What action is proposed to overcome any negative impacts? (e.g. involving community groups in the development or delivery of the policy or practice, providing information in community languages etc. See Good Practice on DCC equalities web page)	More than half of the staff, a third of pupils, and fewer parents, advocate supportive talk, counselling and guidance, which include understanding the reasons for the child's behaviour and his/her social and personal background. Children also recommend to make the child feel included (as one child put it: "make them feel needed and not alone in life"), and to promote engaging activities that keep the child away from disruptive behaviour. A few members of staff and pupils also suggest promoting and nurturing friendships. Part 2 of the guidance explores ways of working to promote inclusion.
4. Is there a justification for continuing with this policy even if it cannot be amended or changed to end or reduce inequality without compromising its intended outcome? (If the policy that shows actual or potential unlawful discrimination you must stop and seek legal advice)	N/A
5. Has a 'Full' Equality Impact Assessment been recommended? (If the policy is a major one or is likely to have a major impact on protected characteristics communities a Full Equality Impact Assessment may be required. Seek advice from your departmental Equality lead.)	No. A rapid impact assessment has been completed.
6. How will the policy be monitored? (How will you know it is doing what it is intended to do? e.g. data collection, customer survey etc.)	All exclusions are recorded electronically. There is an element within the Annual Review process which monitors the level of exclusion. The Education Department Senior Management Team discuss exclusions as a standing item at various point throughout the yearly calendar of meetings. The SfL Strategy Group will monitor the implementation and review of the policy.

Part 4: Contact Information

Name of Department or Partnership	Education Department
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Type of Document	
Human Resource Policy	<input type="checkbox"/>
General Policy	X
Strategy/Service	<input type="checkbox"/>
Change Papers/Local Procedure	<input type="checkbox"/>
Guidelines and Protocols	<input type="checkbox"/>
Other	<input type="checkbox"/>

Manager Responsible	Author Responsible
Name: Paul Clancy	Name: Elspeth Walker
Designation: Head of Education (Secondary and Support for Learners`)	Designation: Education Manager
Base: Dundee House	Base: Dundee House
Telephone: 433088	Telephone: 433785
Email: paul.clancy@dundeeicity.gov.uk	Email: elspeth.walker@dundeeicity.gov.uk

Signature of author of the policy:		Date: 26/4/13
Signature of Director/Head of Service:		Date: 26/4/13
Name of Director/Head of Service:	Michael Wood	
Date of Next Policy Review:	May 2016	

Dundee City Council Education Department**Promoting Inclusion – Reducing Exclusion
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DRAFT**Promoting Inclusion - Reducing Exclusion****Introduction**

Promoting Inclusion - Reducing Exclusion is Dundee City Council's response to the national guidance, '*Included, Engaged and Involved Part 2: A positive approach to managing school exclusions*' published by the Scottish Government in March 2011.

This guidance clarifies national policy on exclusion from schools within the context of *Getting It Right* and Curriculum for Excellence with the overall aim of keeping all learners fully included, engaged and involved in their education and improving outcomes for those at risk of exclusion. See **Appendix 1** for Key Changes.

At the heart of Curriculum for Excellence is effective learning and teaching. This includes the breadth, flexibility and personalisation as well as an entitlement to support. It is in the context of promoting effective learning and teaching and developing positive relationships and behaviour that "Promoting Inclusion - Reducing Exclusion" has been developed.

The emphasis is very much on promoting inclusion through; effective learning and teaching and employment of preventative approaches which reduce the need to consider exclusion.

If we are to get it right for every child we will need to consider how we work with our partner agencies to deliver preventative approaches to support inclusion and engagement. This includes a focus on prevention, early intervention and response to individual need, incorporating staged interventions.

The guidance is intended to provide a helpful and supportive framework within which individual schools can work effectively with learners and parents to maintain positive relationships, behaviour and safety in schools.

National and Local context

National statistics illustrate that Dundee City has the highest rates of exclusion across Scotland. The 2010/11 exclusion rate per 1000 pupils for Dundee is 107, the next highest is Aberdeen City with 62 per 1,000. The average exclusion rate for Scotland is 37 pupils per 1,000.

Between June 2006 and June 2012, the number of exclusions in Dundee schools has dropped by 25.1% and the number of pupils excluded has dropped by 25.3%.

Although Dundee has a very high exclusion rate in terms of the rest of Scotland the pattern of statistics are broadly similar i.e.

- more boys are excluded than girls
- the number of exclusions increase at secondary level
- the most common reason for exclusion is general or persistent disobedience
- a child who is looked after is more likely to be excluded than a child who is not

In Dundee our highest numbers of exclusions in primary sector are within P6 and P7, in the secondary sector they are in S2 and S3.

As an education authority we need to change what we do to improve the engagement and inclusion of the young people of Dundee.

In Dundee we have a rising school population and the numbers are projected to continue rising. Within the city we have some of the most deprived areas in Scotland as described in the Scottish Index of Multiple Deprivation. The numbers of children identified as having multiple and complex additional support needs is rising. Against this backdrop we need to plan to deliver a service which will meet the needs of children and families and ensure that they feel included and involved.

Legislative Framework

The power to exclude a learner from school rests with the relevant education authority.

The power to exclude a learner is set out in **Regulation 4 and 4A** of the **Schools General (Scotland) Regulations 1975**, as amended.

An exclusion policy should also be seen in the wider context of an authority's duties under:

- **Education (Scotland) Act 1980:**
"... secure that there is made for their area adequate and efficient provision of school education..."
- **Standards in Scotland's Schools Act 2000:**
"...have due regard, so far as is reasonably practicable, to the views (if there is a wish to express them) of the child or young person in decisions that significantly affect that child or young person, taking account of the child or young person's age and maturity."
- **Additional Support for Learning Act 2004/2009:**
"...every education authority must in exercising any of their functions in connection with the provision of school education, take account of the additional support needs of children and young persons having such needs."
- **Equality Act 2010:**
"... a school must not discriminate against a pupil - by excluding the pupil from the school. (If a disabled person behaves in a particular way as a consequence of their disability, and as a result is treated less favourably, that is discrimination, unless the person accused of the discrimination can justify what he has done by showing this was a proportionate means of achieving a legitimate aim.)

Scottish policy context i.e. Early Years Framework, Equally Well, Achieving Our Potential, More Choices More Chances, GIRFEC and These are our Bairns. Underpinning each of these policies is the Scottish Government's commitment to supporting the promotion of children's rights and the United Nations Convention on the Rights of the Child (UNCRC). Key principles of the UNCRC include that:

- All rights apply to all children without discrimination and children should be protected from discrimination (Article 2)
- In all actions concerning children, the best interests of the child shall be a primary consideration (Article 3)
- Every child who is capable of forming their own views has right to express those views freely in all matters affecting them (Article 12)

Part 1

Policy

In Dundee City Council, the power to exclude a learner has been delegated by the Director of Education to Head Teachers alone. Only when the Head Teacher is out of school is delegation to a Deputy Head Teacher permissible. In such a situation, the DHT may seek advice and support from the school's Education Manager.

Formal exclusion is an important sanction with a legitimate place within a school behaviour management policy. It marks the extreme seriousness of a breach of discipline that is detrimental to the good order of the school or to the educational well-being of the pupils there, and formally engages parents in supporting the school to manage their child's behaviour.

Exclusion is the most serious sanction that can be imposed on a pupil. Head Teachers should seek to minimise the need to use it by promoting a positive and inclusive school ethos. When considered necessary, it must be used as a last resort, short in duration, and imposed in accordance with agreed procedures.

For the purposes of this guidance: the term parent includes a guardian or any other person who is liable to maintain, or has parental responsibility

The Decision to Exclude

Head Teachers must always consider if it is likely to have a positive impact and influence on the pupil's future conduct, or if in the circumstances other measures are more appropriate. There is a balance to be struck between meeting the needs of the individual pupil, as far as that is possible, and doing what is necessary to uphold recognised standards of behaviour, for the benefit of pupils and staff.

It is in the interests of all learners, their families and school staff, to have all the relevant information available before taking the decision to exclude. Some core questions contained in **Appendix 2** should be used when exclusion is being considered.

It is very important to identify what the **purpose** of the exclusion is and what **positive outcomes** can be achieved by exclusion. Such identification allows consideration of other means, for example, a restorative meeting, to bring about the same effect as exclusion.

Seeking the views of the learner

In taking the decision to exclude a learner, school staff should seek the views of the child or young person and appropriately take these into account as part of the decision-making process. This applies to all learners including those with additional support needs, communication should be adapted to the individual learner's abilities and understanding. It is also very useful to record this process to ensure that it has happened and to inform future resolution of the situation.

For the purposes of this guidance; 'a child' means a person who is not over the school age and 'a young person' means a person over school age who has not yet attained the age of 18 years, as in section 135(1) of the 1980 Act.

Involving parents/carers

Parental co-operation is vital and every effort should be made to strengthen links with the home. All communication with parents/carers should be positive, supportive and involve them fully in considerations of the child/ young person's educational provision.

For the purposes of this guidance; the term parent includes a guardian or any other person who is liable to maintain, or has parental responsibility (within the meaning of section 1(3) of the Children (Scotland) Act 1995) in relation to, or has care of, the child or young person.

Consideration of Individual Circumstances

Statistics show that children and young people are more likely to be excluded if: they are looked after; they are from the most deprived areas; they have a disability; they have an additional support need and the additional support need is social, emotional and behavioural. This section of the guidance considers the individual circumstances of our most vulnerable children and young people.

Looked After Children

The Education (Additional Support for Learning Act) (Scotland) Act 2004, as amended 2009, states that all looked after children (LAC) will be deemed to have additional support needs unless assessed otherwise. To exclude a LAC requires significant consideration. Their already potentially challenging circumstances are likely to be further exacerbated and an additional loss of learning is likely. Exclusion from school may also have a significant impact upon their home lives. An exclusion from school may be the catalyst to a change in placement as the need to ensure appropriate care and supervision for the child or young person whilst excluded, may be a significant pressure on a parent or carer. Exclusion for any young person is the last resort.

One of the main changes arising from the new national guidance is that, the decision to exclude a pupil who is looked after should be taken in consultation with the child's social worker/lead professional; and the time absent from school, due to part-time hours, must be recorded as an exclusion.

To promote collaborative working, in an effort to provide the best possible support for the LAC, it is important that we involve our colleagues, especially within Social Work, when exclusion appears the only course of action.

When considering excluding a vulnerable child or young person, school staff must ensure that appropriate arrangements are in place to ensure the care and wellbeing of any learner before they are excluded and sent home during school hours. If appropriate arrangements are not in place, the learner should remain in school during school hours until such time as arrangements are in place, this is especially important in the case of LAC. **Appendix 3** illustrates the procedure to follow when considering excluding a looked after child

Corporate Parents

Valuing and supporting the education of children in public care is the single most important contribution a corporate parent can make to their lives, because it is about investing in and caring about their future, and recognising that education is their passport to better chances in life. We are the corporate parents for the LAC of Dundee. When carrying out corporate parenting responsibilities we adopt the behaviour of a good parent at all times. We share, with our colleagues in Social Work, collective responsibility for ensuring that children who are looked after are provided with quality experiences and the help they need to maximise their full educational, social and economic potential. Together we ensure that work is undertaken in partnership with children, parents and carers and is in the best interest of individual children.

Children or young people on the Child Protection Register for whom there are current or previous child protection concerns

It is essential that all staff in educational establishments, including early years, schools and colleges, know which senior staff are aware of children or young people on the Child Protection Register or for whom there are concerns.

As with any other vulnerable child or young person, alternatives to exclusion which enable the ongoing wellbeing and safety of the child or young person, should be explored and exhausted with exclusion from school being a last resort.

Appendix 4 illustrates some additional considerations/actions to support the decision making process with regard to exclusion. It is essential that notice is given to the response to these considerations/actions before the child or young person is sent home in order to ensure their health and wellbeing immediately, and throughout the period of exclusion from school.

Children or Young People with a Disability

In considering the exclusion of a learner with a disability as defined by the Equality Act 2010, schools should ensure they comply with the provisions of that Act in relation to discriminatory behaviour in context of the exclusion from school.

If a disabled person behaves in a particular way as a consequence of their disability, and as a result of this behaviour is excluded, it could be deemed that the school have treated this pupil less favourably. That would constitute discrimination, unless the school could justify the exclusion as a proportionate means of achieving a legitimate aim. However, if there were reasonable adjustments the school could have made then the exclusion is unjustified. The pupil or parent may appeal against the exclusion under the Education (Scotland) Act 1980, but also may have a complaint of discrimination to make to the Additional Support Needs Tribunal Service.

Children and Young People with Additional Support Needs

In considering the exclusion of a learner who receives additional support, account should be taken of the potential impact of the loss of both their learning and support provision. School staff should be aware of the arrangements in place with other agencies such as Social Work services and Health services in making provision, and take account of any disruption to the provision of these services to the learner and to the services themselves.

- Learners should be allowed to continue to access any therapeutic support such as physiotherapy, speech and language therapy or occupational therapy as ongoing and necessary support and intervention.
- A period of exclusion from school creates a transition point for children and young people to return to school which can be particularly challenging for some learners with additional support needs. In considering an exclusion from school, transition planning should be factored into the plans for return to school. For some learners with additional support needs, an Additional Support Plan will be in place which will contain details of learning targets and support provided towards the aim of the plan. For those who meet the criteria, a Co-ordinated Support Plan will contain the details of learning outcomes and support provided across multi-agencies towards specific learning aims. School staff, and where appropriate, multi-agency partners will require to take account of an exclusion within learning targets. The plan may require adjustment to reflect aspects of the exclusion and any subsequent follow up actions.
- The provisions of the Additional Support for Learning legislation include those children and young people who have social, emotional and behavioural needs. In considering exclusion of these children, schools and authorities should take account of the ongoing support which learners are receiving and to ensure continuity of provision throughout any exclusion to support their learning needs.

A flow-chart summarising the about considerations can be viewed in **Appendix 5**.

Exclusion and Referral to the Children's Reporter

When considering whether a child or young person should be excluded because of disruptive behaviour, for example physical assault on learners or staff, or, deliberate damage to buildings or equipment, consideration of referral to the Children's Reporter may be appropriate.

The referral of a child or young person to the Reporter would suggest there is a need to intervene on a **compulsory basis** because the child is deemed at risk and his/her behaviour is giving serious cause for concern and should be addressed or challenged. Existing procedures for referral to the Reporter should be followed should this action prove necessary.

Multiple Exclusions

A significant numbers of learners receive multiple exclusions. Schools should consider carefully the impact exclusion from school is having on the behaviour of the learner concerned. Review of staged intervention processes should be undertaken to assess and plan support for the learner with the aim of improved behaviour and maintenance of school provision.

Where there are multiple exclusions (more than 3) for one learner, or significant issues around an exclusion, schools should consult with their link Education Manager in regard to problem solving and future action.

Through SEEMIS and central management information service, the Senior Management Team, supported by the Data Analysis Group will continue to monitor closely exclusions from schools.

Managing Exclusion

After consideration of an individual's circumstances and information gathered, if the criteria to exclude are met i.e.

Regulation 4 states that, an education authority **shall not exclude** a learner from school unless the authority:

- "consider that in all the circumstances to allow the pupil to continue attendance at the school would be likely to be seriously detrimental to order and discipline in the school or the educational well-being of the pupils there."; or
- "are aware of the opinion that the parent of the child refuses or fails to comply, or to allow the pupil to comply, with the rules, regulations, or disciplinary requirements of the school".

In all cases exclusion should be for as short a period as possible and should be used to constructively resolve the situation with all those affected; plan for any new support or provision; and safeguard a successful return, in partnership with learners and their parents/ carers.

Duration and timing of exclusion

The length of exclusion is not defined in legislation and accordingly is a matter for the discretion of the local authority. However, the local authority remains responsible for the education of the learner, and for the provision of alternative education provision while excluded. It is reasonable to expect alternative education provision after 3 days.

In response to very serious incidents, there may need to be a Pupil Support Planning Meeting held within the staged intervention process and additional interventions from partner agencies agreed.

Where the timing of a decision to exclude a learner means that it falls near the end of a school term, it is good practice to resolve the exclusion and re-admission process within the same term.

Sending home without excluding

Previously, time out of school could be described as; 'temporary exclusion', 'informal exclusion', 'cooling off period' and 'sending home'. **All such instances are forms of exclusion and must be recorded as such.**

Learners must **not** be sent home from school for reasons relating to behaviour or an incident without being excluded. It is recognised that schools do use short-term, half-day cool down periods as part of education plans, and to positively engage parents. However, there is a legal requirement to record this approach as exclusion so that it remains transparent and can be carefully monitored. Where such cool down periods are used as part of an agreed plan with parents/ carers, this should be clearly and positively reflected in all verbal and written communication about the exclusion.

Procedures to be followed when a decision is taken to exclude a pupil

Day of Exclusion

1. The learner is informed that s/he is to be temporarily excluded from school
2. The school should contact the parent/carer immediately by telephone to advise of the circumstances of the exclusion and to offer an early appointment
3. To ensure the safety and wellbeing of the child/young person, a learner under the age of 16 years must not be excluded from school until the end of the school day unless s/he can be delivered directly into the care of a parent/carer

4. In the case of a learner who is looked after or on the child protection register, schools should consult with the child's social worker/lead professional and ensure that appropriate arrangements are in place prior to the learner leaving the school premises
5. A letter (**Appendix 6**) must be sent to the parent/carers confirming the decision to exclude and offering an appointment to discuss the situation **within 7 calendar days**. A meeting should normally take place within 3 days from the date of the exclusion. The letter should be sent by first-class mail on the day of the exclusion and a copy given to the child/ young person to take home.

Where the learner has had a number of exclusions, it may be necessary to convene a multi-agency meeting. However, it is still necessary to offer a preliminary discussion with parents to inform them of this meeting.

6. Where the decision to exclude refers to a learner who has reached his/her 16th birthday, then all formal meetings and discussions should be with the young person. However, it is good practice and, therefore, advisable to involve parents in discussions/ meetings, albeit on a non-statutory basis.
7. Where a learner has a **placement at a college or other provision**, it is good practice to let the college or placement know if a learner has been excluded. This should include the reason and the purpose of the exclusion in order that the placement can consider any related issues such as safety. However, it is not necessary to expect the college or other placement to also exclude the learner as there may be clear benefits to continuing a positive placement and this aspect of the learner's education. The learner should be aware of what is communicated to the college or other placement about the exclusion. Where a learner is excluded from a college or other placement, this should be communicated to the school.

Within 7 Days

1. Meet with the parents and the learner (**normally within 3 days**) to discuss the exclusion and re-admission. It is **not** a requirement to set conditions for return to school. Depending on the individual case, it may be appropriate to develop and agree action or support plans with the parent and learner as part of a re-integration meeting; and as part of a review of staged intervention including the identification of respective roles and responsibilities. This should be documented in the plan to support the learner's successful return to school (**Appendix 7**), copied to the parent and learner.
2. At this meeting, parents and learners over 12 years should be informed of their **right to appeal** (Section 28H, Education (Scotland) Act 1980). A learner or parent's decision to appeal exclusion should in itself have no effect on the length of the exclusion or the learner's return to school. A learner can return to school after a period of exclusion regardless of the appeal process and timing.
3. Where an **appeal** in relation to an exclusion has been made to the Director of Education, the decision of the appeal must be noted in the child/young person's PPR – SEEMIS.
4. Where the decision of the Education Appeal Committee has been to annul the exclusion, this information should be deleted from the learner's PPR/SEEMIS and not disclosed as part of the learner's record.

8th Calendar Day of Exclusion

1. If the learner has not been re-admitted either through a lack of resolution at the meeting arranged within 7 calendar days of the exclusion or because the parent/carer has failed, or been unable to attend the meeting, or because there has been no communication from the parent/carer, then a formal follow-up letter (**Appendix 8**) must be sent to the parent/carer/young person indicating:
 - a) failure either to reach an agreement with regard to re-admission or to keep the appointment made
 - b) the reason for the decision to exclude

- c) the right of appeal and the address to which an appeal should be made
 - d) a further date for a meeting in school
 - e) arrangements for alternative provision
2. If the follow-up letter remains unanswered, then the School Community Support Service should be notified with the intention of working with the parents to establish contact and resolve the exclusion.

Consideration of alternative educational provision during exclusion and timescales

Education authorities have a duty under section 14(3) of the Education (Scotland) Act 1980 to make alternative education provision for excluded learners without **undue delay**. The duty is to either:

- Provide school education for the excluded learner in a school managed by them; or
- Make arrangements for the excluded learner to receive such education in any other school the managers of which are willing to receive; or
- Make special arrangements for the excluded learner to receive education other than at an educational establishment

Alternative provision in the form of homework or learning in an alternative educational establishment will contribute to continuity of learning which is of a similar standard to the education provided prior to exclusion and **should be put in place as soon as practicable**.

It is reasonable to expect **alternative education provision after 3 days**. It is recognised that it will not be practically possible to deliver the same standards of curriculum provision during an exclusion but efforts should be made to make some form of alternative provision. In cases where the exclusion is more than 10 days, it is imperative that alternative education is provided.

Re-engagement

Following a period of exclusion, it is necessary to arrange the readmission of the learner to school. It is good practice to meet with the learner to discuss their return to classes and the work to complete, if appropriate. It may be necessary to implement a range of support provision to put together a package of personalised support to meet the needs of the learner in the form of a Plan to Support (**see Appendix 7**).

Re-admission should take into consideration preparing and meeting the needs of staff and other learners affected by the behaviour/incident which led to the exclusion and follow-up support. It may be appropriate to hold a restorative or solution oriented meeting with staff and learners involved in order to restore and repair relationships and trust as part of the return to school.

Use of part-time hours

As part of an initial support package on return to school, it may be appropriate for the learner to return to school on a part-time basis for a short period of phased re-admission. Any such plans should be considered within the staged intervention framework and documented within the appropriate planning mechanism. These arrangements should be considered as an interim step only in order to expedite a prompt return to full-time education. This arrangement should have a clear timescale and be kept to an absolute minimum. **Where a learner is receiving a part-time timetable on this basis, there remains a legal requirement to mark time absent as an exclusion.** The support package is the consequence of exclusion and it is important that such approaches are transparent and closely monitored. This approach, when used in a positive, planned and agreed way will not reflect negatively on a pupil or school. However, such part-time provision will be closely monitored by the Education Department.

Flexible Learning Packages: all ten openings should be timetabled with a provider and location for the learning activity clearly defined. Any opening not timetabled will be recorded as an exclusion.

Part 2

Promoting Inclusion and Reducing Exclusion

We asked staff, pupils and parents for their views on exclusion. For all three groups of respondents **physical or/and verbal abuse** (including bullying) was believed to be the most common reason for exclusion (physical abuse more than verbal abuse), followed by **repeated disruption and low-level misbehaviour that persists** despite warnings and other disciplinary measures, and finally by **vandalism**.

Staff members were asked what they consider to be the purpose of exclusion. For most of the staff exclusion was seen as **educational for the child**, as it offers an opportunity to reflect on his/her action, and to understand that “certain actions will not be tolerated”/ “have consequences”, especially if families at home follow up with their own measure.

However, for about half of the staff exclusion is aimed to protect other children or staff’s safety, peace, or ability to concentrate in their learning/teaching; furthermore, some mention exclusion as a way to make families assume their responsibility for their child’s behaviour.

They told us their views on the positive and negative impact of exclusion:

Positive: staff and pupils, and a small number of parents, believe in the educational impact of exclusion for the child, for it allows children to reflect upon their actions, understand their mistakes, learn about boundaries and consequences. Pupils refer to positive changes in the excluded child’s behaviour (“they behave better”, “they stop bullying”, etc).

Negative: Several respondents (mainly parents) worry that exclusion leads to the child developing a sense of isolation, worthlessness, and decreased self-esteem. Children in particular seem to be worried about the mark that exclusion leaves for the future, which makes employment difficult (“they will not get a job”). Children and parents, more than staff, mention that the excluded child misses out on education.

A large number of respondents (mainly parents and pupils) believe that pupils often perceive exclusion as a holiday; they are described to feel happy, proud and cool for being excluded. However, the most common reactions to exclusion appear to be anger, sadness, loneliness and a sense of shame or guilt. In fact, for several respondents, the impact of exclusion depends on how this is followed up by parents at home.

Return to school after exclusion may also be critical, with a few children and one member of staff mentioning that the excluded child may become the victim of bullying.

For almost the totality of staff, at least a third of the children, and a considerable number of parents, the impact of exclusion on the classmates is relief and a more peaceful, quiet learning environment. Carers and children also mention that they feel safe.

Others mention a beneficial effect of exclusion in helping all children understand boundaries and consequences of actions, and in reducing bad influences.

Children often refer to shock and sadness when a friend is excluded, as well as to a sense of fairness. We asked parents/cares specifically for their views on the impact on the family, for most respondents, the family would be angry, sad or annoyed, or experience stress and shock that may impact on the relationship with the child – with one parent suggesting they would be “disgusted”.

Nearly as many point to the financial and practical difficulties that exclusion poses to families where parents work and as a consequence may need to get a child-minder.

Some feel that exclusion puts a strain on the relationship between the family and the school, with the family feeling “let down” by the school, and advocate for more support from the school for the affected families.

However, a small group refer to the possibility that exclusion may act as a wake-up call for families to assume their responsibilities towards their children.

When staff responded to this question of the impact of exclusion on the school, the largest group of answers suggest that exclusion leads to a better, calmer and quieter teaching/learning environment. For others, exclusion offers the school the time and opportunity to rethink or develop action-plans and strategies as well as school-policies.

We asked about **ALTERNATIVES TO EXCLUSION:**

Besides 6 parents and 6 children who are in favour of keeping exclusion (and even expulsion) suggestions for promoting inclusion can be grouped as following:

- a. **Supportive measures:** Counselling practices to help the child
 - Restorative practices
 - Parents' involvement
 - Friends' involvement
 - Other agencies' involvement
 - Positive reinforcement

More than half of the staff, a third of pupils, and fewer parents, advocate supportive talk, counselling and guidance, which include understanding the reasons for the child's behaviour and his/her social and personal background. Children also recommend to make the child feel included (as one child put it: "make them feel needed and not alone in life"), and to promote engaging activities that keep the child away from disruptive behaviour.

At least one respondent in each group mentioned existing restorative practices/work/conversations. Others mention more, and more rapid, involvement and cooperation with families.

A few members of staff and pupils also suggest promoting and nurturing friendships (as one child put it: "Buddies for people who are not treated well")

Some staff members asked for intervention from other agencies (Ed Psych, Behaviour Support Group, and agencies providing training for staff).

Carers and pupils often refer to reinforcement of positive behaviour, mainly in the form of rewards for good behaviours.

b. **Disciplinary measures**

Many pupils, and a larger number of parents, support more punitive disciplinary measures. Children tend to suggest harsher punishments, removal of privileges, and detention. Carers, along with some members of staff, also ask for more consistent and clearer set of rules and a whole-school policy.

c. **Separate areas**

Several staff and children recommend separate areas within the school for children who misbehave. These are seen by some as nurturing spaces for the children to find a quiet environment and helpful support, and by others more as a way to segregate the disruptive child for the benefit (peaceful learning and safety) of the other children and staff.

Approaches to improve relationships and promote inclusion

We have an opportunity to act on what staff, pupils and parents/carers have shared with us regarding the impact of exclusion and some ways of working which is felt to be or could be effective in promoting inclusion and thus reducing exclusion. They have expressed their desire to feel safe and included within a learning environment which meets the needs of all. The approach can not be one size fits all, as the context for each educational establishment is unique. All children have an entitlement to support and as such should have access to positive learning environments and opportunities to develop their skills, confidence and self-esteem to the fullest potential. Each educational establishment should have clear policy and strategies which supports the use of appropriate approaches to develop a culture of inclusion. A number of the approaches and suggestions made are already available within Dundee education establishments.

Restorative Approaches

Staff and pupils alike referred to restorative approaches as a means of promoting inclusion. Restorative approaches are defined as restoring good relationships when there has been conflict or harm, and developing school ethos, policies and procedures to reduce the possibility of such conflict and harm arising. It is an approach that acknowledges that school education is complex with increasingly wider demands being placed on schools in a diverse and changing world and where the work of teachers and support staff is challenging and stressful.

The underpinning principles of restorative approaches emphasise the importance of:

- Fostering positive social relationships in a school community of mutual engagement
- Taking responsibility and accountability for one's own actions and their impact on others
- Respecting other people, their views and feelings
- Empathy with the feelings of others affected by one's own actions
- Fairness
- Commitment to an equitable process
- Active involvement of everyone in school with decisions about their own lives
- Willingness to create opportunities for reflective change in pupils and staff

Restorative approaches may include:

- Developing a restorative ethos through activities such as peer support and circle time
- Developing restorative conversations when staff/peer mediators intervene in a situation
- Developing restorative meetings involving all those affected by an incident including families
- Using restorative meetings when young people have presented with very challenging behaviour

Restorative approaches can resolve conflicts, prevent victimisation and develop learners' communication and empathy skills. They can also enhance teachers' behaviour management skills beyond traditional 'control' techniques. Restorative approaches offer a potentially powerful and effective approach to improving relationships and behaviour in schools. It is recognised that restorative approaches take time and commitment to introduce. Key factors of success include commitment, enthusiasm, leadership and significant staff development along with a willingness to reflect on practice and engage with change.

Training is available through involvement with the Right, support & Wellbeing Team – Education Scotland and also through Dundee Educational Psychology Service (DEPS).

Solution Focused Approaches

Solution focused approaches have been part of the training offered by DEPS for a number of years and as a methodology is well embedded within many education establishments. Solution focused approaches help build relationships, provide a different way of listening in difficult situations, and offer different questions that help people move towards change. It provides a framework which moves people, including children, young people and staff, beyond problems towards solutions. The underlying principles of solution focused approaches are that:

- The past and details of the problem are not necessary for the development of solutions
- The individual's goal is central
- There are always exceptions (i.e. times when the problem is happening less or not at all)
- Individuals have the skills, strengths and resources to resolve their difficulties
- Attention to language is crucial
- A small change can lead to widespread changes
- Feedback is necessary

Elements of a solution focused conversation include:

- Problem free talk (creates a context of competence and abilities)
- Goal setting (clear, specific and realistic goals are more likely to be attained)
- Exceptions (identifying exceptions begins to reduce the power of the problem)
- Scaling (measuring change is key to encouraging more change)

- Feedback (based on observed strengths, resources and motivation)

Solution focused meetings can help provide pathways through challenges and difficult situations and enable participative, solution finding where the end goal is uncertain and where there are many people involved who feel generally 'stuck'. All staged intervention meetings should be solution focused in nature, and helpful in preventing or resolving exclusions.

Training on solution focused approaches continues to be available from the Educational Psychology Service.

Nurturing Approaches and Nurture Groups

Some children arrive at school without having had opportunities to develop positive, nurturing relationships with a significant adult and as a result suffer from poor attachments and an inability to thrive emotionally, therefore being unable to meet the social and intellectual demands of the curriculum. Schools which adopt nurturing approaches are characterised by:

- Learning needs being understood in terms of development
- Social and emotional development being assessed
- Every learner feeling a sense of belonging to the community of their school and class
- The classroom environment meeting the identified social and emotional development needs of all learners
- The classroom environment being conducive to formal and informal learning
- Opportunities for engagement and positive role modelling
- Emotional literacy being a key part of the Health and Wellbeing curriculum and also evident across the whole school

Nurture Groups

Where children have been identified as having significant social, emotional and behavioural needs, they may benefit from a small group learning environment such as a nurture group. The emphasis within a nurture group is on emotional growth. This provides a focus on broad based experiences in an environment which promotes security, routines, clear boundaries and carefully planned learning opportunities.

Schools which operate nurture groups will have an understanding of attachment theories, resilience and brain development.

Training to support the development of nurturing approaches is available from the Educational Psychology Service.

Secondary School based Initiatives

A number of providers work within our secondary schools to provide an alternative learning experience for young people at risk of exclusion.

SkillForce

SkillForce is an educational charity working with 13-19 year old young people. They work in partnership with schools to deliver a curriculum and activities that provide young people with knowledge, skills, experience and long term personal support and most importantly, the self belief to aspire and achieve. Through their involvement they aim to:

- Reduce truancy and exclusion
- Raise aspiration and achievement
- Increase positive Post 16 destinations

They are currently working in three of our secondary schools

Inclusion Plus

Inclusion Plus is a consortium approach between Apex Scotland, Skillforce and Includem. Inclusion Plus combines these complementary services and aims to:

- Provide an alternative to exclusion from mainstream education
- Work in a proactive manner to reduce the likelihood of future exclusions
- Support young people in curricular activities
- Address young people's behaviour and reasons for their non compliance with mainstream education
- Incorporate rehabilitation, helping young people to see why their behaviour is unacceptable and the consequences of their behaviour on their futures
- Provide opportunities to gain qualifications, awards and life skills
- Working with young people and their families to build confidence, self esteem and help them to move forward in a positive way.

This is a new venture for Dundee and is still at the explorative stage of development, however, it is hoped that 4 of our secondary schools will be able to benefit from the input offered from Inclusion Plus.

**Included, Engaged and Involved Part 2:
a positive approach to managing school exclusions**

Appendix 1

What are the key themes and differences with existing practice?

The **key themes** arising from the new national guidance are:

- Part-time provision: need for full time (25 hr) packages; placement breakdown; responsibility of education and social work; recording
- Looked after children; checking home and care arrangements; transitions; collegiate and cluster based approaches;
- Competing plans and need for a single plan
- Other strategies/ partnerships/ pathways to support
- Engagement with hard to reach parents

Key differences:

- The exclusion should be for as short a period as possible...the duration of time should be used to constructively resolve the situation; identify and plan new support or provision; and safeguard a successful return...
- Exclusion is ultimately a very short-term option – schools, learning establishments and local authorities must have policies, procedures and positive interventions to address issues around challenging behaviour constructively in the longer term
- The duty to provide education never stops. The legislation does not specify within how many days alternative education provision should be provided as the purpose is to **continue** providing education to learners not attending school. In practice, alternative provision will need to be in place within days...it is reasonable to expect alternative provision after 3 days and not 10 days as previously advised.
- It is not required to seek guarantees or contracts of behaviour with parents
- Reintegration meetings with learners and parents/ carers may include agreeing to a support plan, including an understanding of future behaviour, expectations and responsibilities.
- Schools and education authority staff should be aware that learners being sent home for periods of time to “cool down” or for longer periods of assessment and planning should only happen when more inclusive alternatives have been considered and deemed less appropriate and then **must** be recorded as a formal exclusion
- Use of positive communication and recording where used as part of an agreed strategy with parents/ carers
- Interim, short term, planned, recorded and monitored
- Continue to record time not in learning as exclusion
- Use of positive communication and recording where part of a planned strategy with parents/ carers
- Ultimately the head teacher or senior management makes the decision to exclude on behalf of the local authority. However...the decision to exclude a learner who is **Looked After** should be taken in consultation with the child's social worker/ lead professional
- Where there are multiple exclusions for one learner, or a lengthy exclusion, it is good practice for cases to be referred to the local authority in order to support decision making; supplemented with good local authority monitoring
- Benefits of referral through a cluster, community learning partnership or collegiate approach for shared decision making and planning of provision highlighted.
- National publications on attendance and absence, and exclusion, will be reduced to every 2 years, summarised as part of a wider compendium of learning statistics. Full statistical analysis will continue to be available on the Scottish Government web site
- Key value of recording at local level, for analysis and response at a local level.

Appendix 2**Supporting Informed Decision Making**

It is in the interests of all learners, their families and school staff, to have all the relevant information available before taking the decision to exclude. The following questions, not all of which may be applicable, can help to inform the decision making process:

The incident:

- What is the nature of the incident?
- Who was/are/were involved?
- Location and timing of incident?
- Who witnessed the incident?
- What are the views of the staff regarding the incident?
- What are the views of the young person regarding the incident?
- What are the views of the witnesses regarding the incident?

Individual Circumstances:

- Is this repeated behaviour?
- What interventions have been effected?
- Is exclusion a last resort?
- What will exclusion achieve, and would an alternative be successful?
- What is the likely impact upon the young person, and their wider circumstances?
- Are there child protection issues?
- Is the young person LAC
- What perspective can the young person's Social Worker contribute to the process?
- What are the views of the lead professional?
- What will the impact be on a foster or residential placement?
- What are the additional support needs of the young person?
- Does the young person require consideration for revised support?
- If so, who can best provide this?
- What impact will this have on planning mechanisms in place such as the Child's Plan, ASP, CSP?

Appendix 3

Guidance for Head Teachers on Looked After Children and Exclusion.

One of the main changes arising from the new national guidance is that it is recommended that the decision to exclude a pupil who is looked after should be taken in consultation with the child's social worker/ lead professional; and the time absent from school, due to part-time hours, must be recorded as an exclusion.

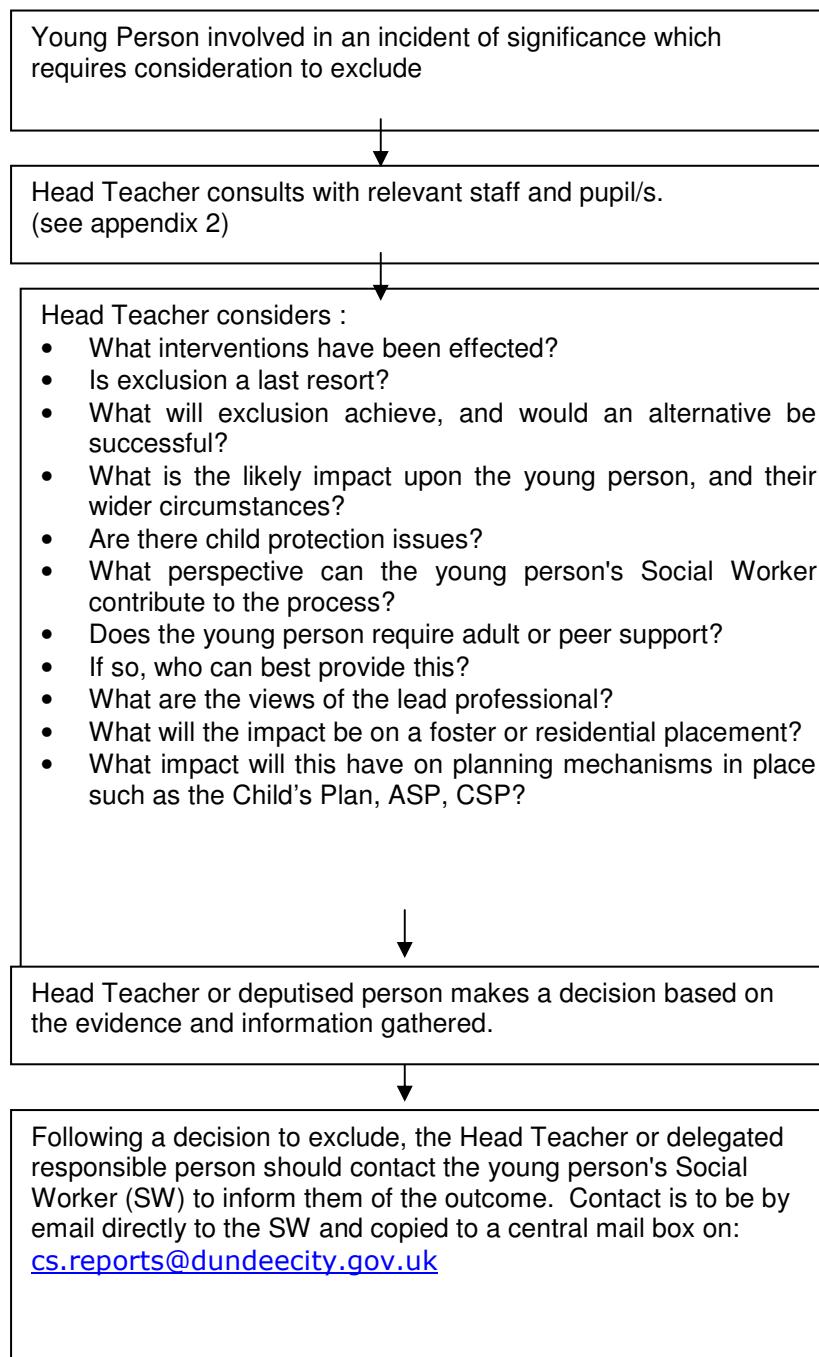
We should endeavour to make the decision to exclude based on all the available information possible. The following questions may help to inform the decision making process:

- What interventions have been effected?
- Is exclusion a last resort?
- What will exclusion achieve, and would an alternative be successful?
- What is the likely impact upon the young person, and their wider circumstances?
- Are there child protection issues?
- What perspective can the young person's Social Worker contribute to the process?
- Does the young person require adult or peer support?
- If so, who can best provide this?
- What are the views of the lead professional?
- What will the impact be on a foster or residential placement?
- What impact will this have on planning mechanisms in place such as the Child's Plan, ASP, CSP?

To promote collaborative working, in an effort to provide the best possible support for the LAC, it is important that we involve our colleagues, especially when exclusion appears the only course of action.

Ideally, contact would be made with the Social Worker as part of the information gathering process around an incident. However, it is recognised that it is not always possible to reach a Social Worker by phone and much time can be lost in trying to make contact. It is essential that on the day a decision to exclude a LAC has been reached, schools contact the young person's Social Worker. It has been agreed that the most effective means of communication is by email. An email with the details of the young person and the incident should be sent to the case holding Social Worker on the day of the exclusion. To overcome the possibility of the Social Worker being on leave and not able to respond to the email before the planned resolution meeting, it is proposed that the email to the case holding Social Worker is also copied to a central mail box (cs.reports@dundeeicity.gov.uk). Emails sent to this central mail box can then be forwarded by admin staff to the appropriate team for attention in the absence of the case holding Social Worker

Decision Making in regard to LAC:



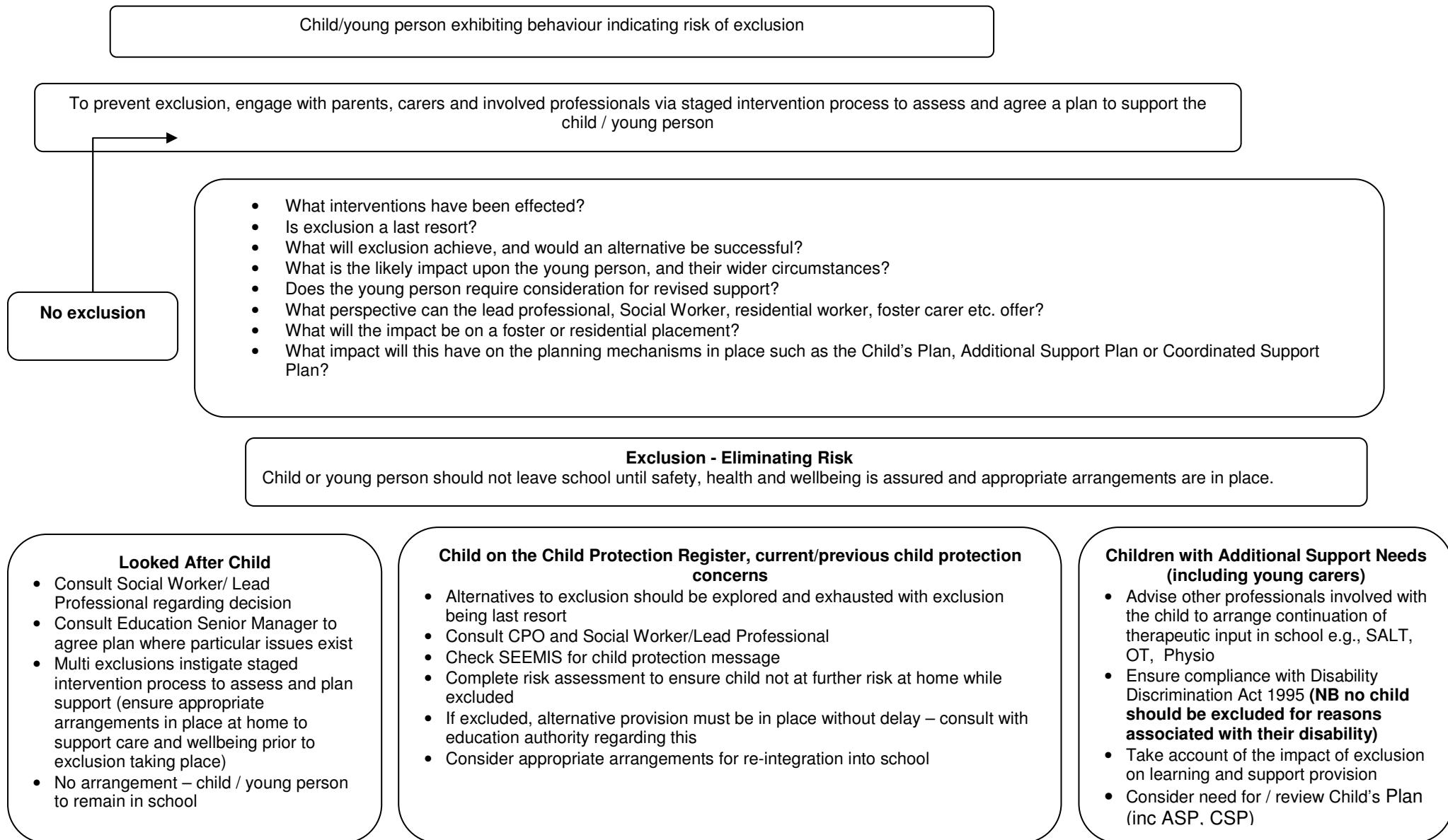
Standard procedures for resolving exclusions should be adhered to following this action.

Appendix 4**Child Protection and consideration to exclude**

The national guidance on protection of children in school, *Safe and Well* (2005) indicates that when considering the exclusion of a learner for whom there are concerns relating to child protection, the following, in addition to the questions supporting information gathering, should be considered:

- Check that there are appropriate arrangements for the care of a child or young person before they are sent from the school premises
- Consider whether there are family or other circumstances that mean support is required if a child is excluded
- Find out whether the child concerned is on the Child Protection Register, or compulsory measures of care, in which case Social Work **must** always be informed
- Undertake a risk assessment to ensure that the child will not be placed at further risk while they are excluded from school
- Where there are child protection concerns, consult the education authority without delay to seek alternative educational provision for the learner while excluded from school
- Consider appropriate arrangements for re-integration into school after the exclusion

It is essential that consideration is given to the response to the above questions before the child or young person is sent home in order to ensure their health and wellbeing immediately, and throughout the period of exclusion from school.



INITIAL LETTER TO PARENTS OF A PUPIL AGED BELOW 16

- (i) to be issued on the day of the exclusion
- (ii) appointment normally to be offered within 3 working days

Dear NAME,

TEMPORARY EXCLUSION: PUPIL'S NAME (DOB), CLASS

I regret to advise you that PUPIL'S NAME has been temporarily excluded from attendance at school, with effect from DATE. This very serious step has been taken because DETAIL REASONS.

I should be grateful if you would come to school on DATE at TIME to discuss this matter. Please bring PUPIL'S NAME with you to the meeting.

Meantime, PUPIL'S NAME must not attend school or be within the school grounds, and will not take part in any school activities, until the exclusion has been resolved.

If either the date or time is unsuitable please contact me as soon as possible so that alternative arrangements can be made.

I must advise you that, in terms of Section 28H of the Education (Scotland) Act 1980 and the Standards in Scotland's Schools etc. Act 2000, Section 41, there is a right of appeal, which can be exercised by the parent/carer or the pupil, against my decision to exclude, in which case you should write to the Clerk to Education Appeal Committee, Support Services Dept, Dundee City Council, 21 City Square, Dundee, DD1 3BY.

Yours sincerely,

HEAD TEACHER

NB: Personalise the letter as appropriate. DO NOT LEAVE AS ABOVE.

Letter Exc 2**INITIAL LETTER TO A YOUNG PERSON AGED 16 OR OVER**

- (i) to be issued on the day of the exclusion
- (ii) appointment normally to be offered within 3 working days

Dear NAME,

TEMPORARY EXCLUSION: PUPIL'S NAME (DOB), CLASS

I regret to advise you that you have been temporarily excluded from attendance at school, with effect from DATE. This very serious step has been taken because DETAIL REASONS.

I should be grateful if you would come to school on DATE at TIME to discuss this matter. I have informed your PARENTS/CARER and invited them to attend the meeting if they wish.

Meantime, you must not attend school or be within the school grounds, and you will not take part in any school activities, until the exclusion has been resolved.

If either the date or time is unsuitable please contact me as soon as possible so that alternative arrangements can be made.

I must advise you that, in terms of Section 28H of the Education (Scotland) Act 1980 and the Standards in Scotland's Schools etc. Act 2000, Section 41, you have a right of appeal against my decision to exclude, in which case you should write to the Clerk to Education Appeal Committee, Support Services Dept, Dundee City Council, 21 City Square, Dundee, DD1 3BY.

Yours sincerely,

HEAD TEACHER

NB: Personalise the letter as appropriate. DO NOT LEAVE AS ABOVE.

Letter Exc 3**INITIAL LETTER TO PARENTS OF A PUPIL AGED 16 OR OVER**

- (i) to be issued on the day of the exclusion

Dear NAME,

TEMPORARY EXCLUSION: PUPIL'S NAME (DOB), CLASS

I regret to advise you that PUPIL'S NAME has been temporarily excluded from attendance at school, with effect from DATE. This very serious step has been taken because DETAIL REASONS.

As NAME is aged 16 or over, and is therefore considered to be a young person in HIS/HER own right, I am obliged to meet HIM/HER to discuss this matter. However I also wish to invite you to attend the meeting, which will take place in school on DATE at TIME.

Meantime, I have told PUPIL'S NAME that S(HE) must not attend school or be within the school grounds, and will not take part in any school activities, until the exclusion has been resolved.

If you wish to attend the meeting and either the date or time is unsuitable please contact me as soon as possible so that alternative arrangements can be made.

I have advised PUPIL'S NAME that, in terms of Section 28H of the Education (Scotland) Act 1980 and the Standards in Scotland's Schools etc. Act 2000, Section 41, S(HE) has a right of appeal against my decision to exclude, in which case S(HE) should write to the Clerk to Education Appeal Committee, Support Services Dept, Dundee City Council, 21 City Square, Dundee, DD1 3BY.

Yours sincerely,

HEAD TEACHER

NB: Personalise the letter as appropriate. DO NOT LEAVE AS ABOVE.

Plan to support's successful return to school
Appendix 7

Date of Exclusion.....
Meeting.....

Date of

Action (What needs to happen)	By Whom (to include young person/parent/school/SCSS etc.)	Timescale	Progress/ Outcome (How will we know that this has been successful?)

Following.....'s exclusion, this is our agreed plan to support a successful return to school.

Who contributed to the plan :

Young Person
HT/DHT

Parent

Outcome of Review

PT

Other.....

We will review this plan together on.... (date)
Distribution:

Letter Exc 4

8-DAY LETTER: NO AGREEMENT

REPRODUCE ON SCHOOL HEADED NOTEBOOK PAPER

Dear NAME,

TEMPORARY EXCLUSION: PUPIL'S NAME (DOB), CLASS

I refer to my letter of DATE in which I informed you of my decision to exclude PUPIL'S NAME because DETAIL REASONS.

We met on DATE to discuss the temporary exclusion and agree actions/support plan for PUPIL'S NAME'S return to school.

I am sorry that our meeting did not lead to an agreement, as you were unable to accept the actions/support plan. PUPIL'S NAME therefore remains excluded and should not be in school or the school grounds.

It is important that we meet again as soon as possible to try to resolve this temporary exclusion and I should like you to come back to school on DATE at TIME, with PUPIL'S NAME. If after that we are still unable to make arrangements for PUPIL'S NAME to return to school I shall have to inform the Director of Education.

I would like to remind you that there is a right of appeal, which can be exercised by the parent/carer or the pupil, against my decision to exclude, in which case you should write to the Clerk to Education Appeal Committee, Support Services Dept, Dundee City Council, 21 City Square, Dundee, DD1 3BY.

I hope that we can meet again and agree actions/support plan under which PUPIL'S NAME can get back to school. If either the date or time is unsuitable please contact me as soon as possible so that alternative arrangements can be made.

Yours sincerely,

HEAD TEACHER

NB: Personalise the letter as appropriate. DO NOT LEAVE AS ABOVE. Re-word the letter appropriately in the case of a pupil aged 16 or over.

Letter Exc 5

8-DAY LETTER: PARENT FAILS TO KEEP APPOINTMENT

REPRODUCE ON SCHOOL HEADED NOTE PAPER

Dear NAME,

TEMPORARY EXCLUSION: PUPIL'S NAME (DOB), CLASS

I refer to my letter of DATE in which I informed you of my decision to exclude PUPIL'S NAME because DETAIL REASONS. I invited you to come to school on DATE to discuss the temporary exclusion and agree actions/plans for PUPIL'S NAME'S return to school.

I am sorry that you did not keep the appointment, and so PUPIL'S NAME remains excluded and should not be in school or the school grounds.

It is important that we meet as soon as possible to try to resolve this temporary exclusion and I should like you to come to school on DATE at TIME, with PUPIL'S NAME.

I would like to remind you that there is a right of appeal, which can be exercised by the parent/carer or the pupil, against my decision to exclude, in which case you should write to the Clerk to Education Appeal Committee, Support Services Dept, Dundee City Council, 21 City Square, Dundee, DD1 3BY. I have informed the Director of Education of the present situation.

I hope that we can meet and agree actions/support plan which will allow PUPIL'S NAME to get back to school. If either the date or time is unsuitable please contact me as soon as possible so that alternative arrangements can be made.

Yours sincerely,

HEAD TEACHER

NB: Personalise the letter as appropriate. DO NOT LEAVE AS ABOVE. Re-word the letter appropriately in the case of a pupil aged 16 or over.